

FILED

2008 JUL 29 P 3:05

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

1 Chad Edward Kastle
2 Salinas Valley State Prison
3 CDCR # P-86598
4 31625 Highway 101, POB 1050
5 Soledad CA 93960-1050
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHAD EDWARD KASTLE)
Petitioner,)
vs.)
MICHAEL S. EVANS, Warden,)
Respondent.)

5:08-cv-02196-JF


NOTICE OF APPEAL

FRAP §4 & 22(b)
Circuit Rule §22-1(d)

Notice is hereby given that Petitioner KASTLE hereby
appeals to the United States Court of Appeals for the Ninth
Circuit of California, for the Order of July 18, 2008 whereby
the Hon. Jeremy Fogel, USDJ dismissed the Habeas Petition
without prejudice.

DATED: 7-28-2008

Respectfully Submitted,


Chad E. Kastle, #P-86598
Petitioner, In Pro Per.

NOTICE OF APPEAL

I, Chad E. Kastle declare under penalty of perjury that: I am the Petitioner in the above entitled action; I have read the foregoing documents and know the contents thereof and the same is true of my own knowledge, except as to matters stated therein upon information, and belief, and as to those matters, I believe they are true.

Executed this 28 day of July, 20 08, at Salinas Valley State Prison, Soledad, CA 93960-1050.

(Signature)

Chad E. Kastle
DECLARANT/PRISONER

PROOF OF SERVICE BY MAIL

I, Chad Kastle, am a resident of California State Prison, in the County of Monterey, State of California; I am over the age of eighteen (18) years and am ~~am not~~ a party of the above entitled action. My state prison address is: P.O. Box 1050, Soledad, CA 93960-1050.

On July 28, 20 08, I served the foregoing: Notice of Appeal

(Set forth exact title of document(s) served)

On the party(s) herein by placing a true copy(s) thereof, enclosed in sealed envelope(s), with postage thereof fully paid, in the United States Mail, in a deposit box so provided at Salinas Valley State Prison, Soledad, CA 93960-1050.

Edmund G. Brown, Jr.

California District Attorney's Office

290 S. first st

San Jose, CA 95113

(List parties served)

There is delivery service by United States Mail at the place so addressed, and/or there is regular communication by mail between the place of mailing and the place so addressed.

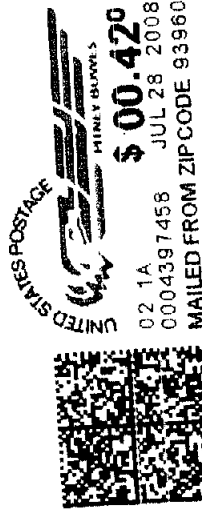
I declare under penalty of perjury that the foregoing is true and correct.

DATED: July 28, 20 08

Chad E. Kastle
DECLARANT/PRISONER

Salinas Valley State Prison
Chad E. Kastle P86598
P.C.Box 1050 (B5-102)
Soledad CA 93960-1050

* LEGAL MAIL *



US District Court
Northern Dist. of Calif.
280 S. First Street
San Jose, CA 95113

STATE PRISON
JUL 29 2008

